THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.24097 OF 2005

Dt.10.11.2005

Between:

M.Ramu … Petitioner

And

The District Collector (Civil Supplies),

Khammam and 3 others. … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleaders appearing for the respondents.

It is stated that the auto of the petitioner bearing No.AP 20W 1471 was seized while transporting 11 quintals of rice meant for Food For Work by the dealer.

Admittedly, the stock relating to Food For Work does not come under the provisions of Essential Commodities Act. If there is any criminal breach of trust, criminal case has to be filed against the dealer. The petitioner is only the owner of the vehicle and the said vehicle is not liable to be confiscated. If that be so, there cannot be any objection for release of the said vehicle in favour of the petitioner.

Having regard to the facts and circumstances of the case, the respondents are directed to release the vehicle of the petitioner in his

favour on his executing personal bond for the value of the vehicle and on filing an undertaking that he will produce the vehicle as and when required either by the authorities or before the concerned court.

The writ petition is accordingly disposed of. No costs.

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(V.ESWARAIAH, J.)

10.11.2005

Note: Issue copy within two days

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